

REC'D 22 MAR '12 11:01 USDC-ORP

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
OFFICE OF THE CLERK

BRIAN D. KARTH
DISTRICT COURT EXECUTIVE / CLERK OF COURT
SANDRA DAY O'CONNOR U. S. COURTHOUSE
SUITE 130, 401 W. WASHINGTON ST., SPC 1
PHOENIX, ARIZONA 85003-2118

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DEBRA D. LUCAS
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SUITE 130, 401 W. WASHINGTON ST., SPC 1
PHOENIX, ARIZONA 85003-2118

MICHAEL S. O'BRIEN
CHIEF DEPUTY CLERK
EVO A. DECONCINI U.S. COURTHOUSE
405 W. CONGRESS, SUITE 1500
TUCSON, ARIZONA 85701-5010

March 19, 2012

Clerk's Office

SEALED

Mark O. Hatfield United States Courthouse
District of Oregon, Portland Division
1000 Southwest Third Avenue, Room 740
Portland, OR 97204-2802

RE: USA v. Elyzabeth Morgana Leitner
Your case number: 11-cr-102-RE
Arizona case number: 12-00176M-001

Dear Clerk of the Court:

The above charge originated in your district. The defendant has appeared before Magistrate Judge Michelle H. Burns in Phoenix, Arizona. The following action has been taken.

☒ U S MARSHAL HAS BEEN ORDERED TO REMOVE THE DEFENDANT TO THE CHARGING DISTRICT.

You may access electronically filed documents in this case at our ECF/PACER web address <http://ecf.azd.uscourts.gov>. Any documents not available electronically are enclosed in paper format along with a copy of the docket sheet and either the Order to Appear or the Commitment to Another District.

Please acknowledge receipt on the enclosed copy of this letter and return to the Phoenix office.

Sincerely,

BRIAN D. KARTH,
CLERK OF COURT/DISTRICT COURT EXECUTIVE

Enclosure

By: s/Sherise M. Hargrove
Sherise M. Hargrove
Deputy Clerk

cc: AUSA, AFPD, PTS

The staff of the Clerk's Office ensures the effective, efficient and professional delivery of clerical and administrative services, while fostering a customer-friendly and employee-friendly environment.

AO 94 (Rev. 06/09) Commitment to Another District

UNITED STATES DISTRICT COURT

for the

District of Arizona

United States of America
v.**SEALED**Case No. 12-00176MElyzabeth Morgana Leitner
DefendantCharging District's
Case No. 3:11-CR-102-02-RE

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the _____ District of _____ Oregon ,
(if applicable) Portland division. The defendant may need an interpreter for this language:
_____.

The defendant: ☐ will retain an attorney.
☒ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: March 16, 2012


Judge's signature

Michelle H. Burns, United States Magistrate Judge

Printed name and title

I hereby attest and certify on 3-19-12
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my custody.

CLERK, U.S. DISTRICT COURT
DISTRICT OF ARIZONABy S. Hargrave Deputy

cc: AUSA/Def Cnsl/PTS

RECEIVED
U.S. MARSHAL'S SERVICE
DISTRICT OF ARIZONA
2012 MAR 16 PM 2:41

Case 2:12-mj-001 J-MHB (SEALED) Document 5 Filed 03/16/12 Page 1 of 1

SEALED

AO 466A (Rev. 12/09) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURTfor the
District of Arizona

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> LODGED
<input type="checkbox"/> RECEIVED	<input type="checkbox"/> COPY
MAR 16 2012	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

United States of America

v.

Case No. 12-176 M

ELYZABETH MORGANA LEITCH
Defendant

Charging District's Case No. 11-CR-102-RE

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

DISTRICT OF OREGON

I understand that I have been charged in another district, the (name of other court) PORTLAND DIVISION

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 3/16/2012I hereby attest and certify on 3-19-12
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my custody.CLERK, U.S. DISTRICT COURT
DISTRICT OF ARIZONABy S. Hargrave Deputy

cc: AUSA / Def. Cns

Elyzabeth Leitch
Defendant's signature[Signature]
Signature of defendant's attorneyLORNA A. SPENCER
Printed name of defendant's attorney

Case 2:12-mj-00176-M *SEALED* Document 4 *SEALED* Filed 03/16/12 Page 1 of 1
 UNITED STATES DISTRICT COURT MAGISTRATE JUDGE'S MINUTES
 DISTRICT OF ARIZONA - Phoenix

DATE: 3/16/2012 CASE NUMBER: 12-00176M-001
SEALED

FILED 22 MAR '12 11:01 USDC-ORP

USA vs. Elyzabeth Morgana Leitner

U.S. MAGISTRATE JUDGE: MICHELLE H. BURNS #: 70BT

A.U.S. Attorney Jennifer Levinson for Vincent Kirby INTERPRETER _____
 LANGUAGE _____

Attorney for Defendant Lorna Spencer (AFPD)

DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☒ CUSTODY

DOA 3/15/2012 ☐ Initial Appearance ☐ Appointment of counsel hearing held
☐ Financial Afdvt taken ☐ Defendant Sworn ☐ Financial Afdvt sealed
☒ Rule 5(c)(3) ☐ Defendant states true name to be ____ Further proceedings ORDERED
 in Defendant's true name.

DETENTION HEARING: <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset Set for: <u>RESERVED FOR</u> Before: <u>PROSECUTING DISTRICT</u> <input checked="" type="checkbox"/> Defendant ordered temporarily detained in the custody of the United States Marshal <input type="checkbox"/> Defendant ordered released _____ <input type="checkbox"/> Defendant continued detained pending trial <input type="checkbox"/> Flight risk <input type="checkbox"/> Danger	IDENTITY HEARING: <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset <input checked="" type="checkbox"/> Waived Set for: _____ Before: _____ <input checked="" type="checkbox"/> Warrant of removal issued.
PRELIMINARY HEARING: <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset <input type="checkbox"/> Waived Set for: _____ Before: _____ <input type="checkbox"/> Probable cause found <input type="checkbox"/> Dismissed <input type="checkbox"/> Held to answer before District Court	STATUS HEARING: re: <u>Identity/DH</u> <input checked="" type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Reset Set for: _____ Before: _____

Other: _____

Recorded by Courtsmart
 BY: Kathy Lara
 Deputy Clerk

SH: 2 mins.
 ID: 1 min.

cc: AUSA/Def Cnsl/PTS/USMS

I hereby attest and certify on 3-19-12
 that the foregoing document is a full, true and correct
 copy of the original on file in my office and in my custody.

CLERK, U.S. DISTRICT COURT
 DISTRICT OF ARIZONA

By S. Hargrave Deputy

Case 2:12-mj-00176-M *SEALED* Document 2 *SEALED* Filed 03/15/12 Page 1 of 1
 UNITED STATES DISTRICT COURT MAGISTRATE JUDGE'S MINUTES
 DISTRICT OF ARIZONA - Phoenix

DATE: 3/15/2012 CASE NUMBER: 12-00176M-001
SEALED

FILED 22 MAR '12 11:01 USDC-ORP

USA vs. Elyzabeth Morgan Leitner

U.S. MAGISTRATE JUDGE: MICHELLE H. BURNS #: 70BT

A.U.S. Attorney Vincent Kirby INTERPRETER _____
 LANGUAGE _____

Attorney for Defendant Lorna Spencer (AFPD)

DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☒ CUSTODY

DOA 3/15/2012 ☒ Initial Appearance ☒ Appointment of counsel hearing held
☒ Financial Afdvt taken ☐ Defendant Sworn ☐ Financial Afdvt sealed
☒ Rule 5(c)(3) ☒ Defendant states true name to be **ELYZABETH MORGANA LEITNER**. Further proceedings ORDERED in Defendant's true name.

DETENTION HEARING: <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset Set for: Before: <input checked="" type="checkbox"/> Defendant ordered temporarily detained in the custody of the United States Marshal <input type="checkbox"/> Defendant ordered released _____ <input type="checkbox"/> Defendant continued detained pending trial <input type="checkbox"/> Flight risk <input type="checkbox"/> Danger	IDENTITY HEARING: <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset <input type="checkbox"/> Waived Set for: Before: <input type="checkbox"/> Warrant of removal issued.
PRELIMINARY HEARING: <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset <input type="checkbox"/> Waived Set for: Before: <input type="checkbox"/> Probable cause found <input type="checkbox"/> Dismissed <input type="checkbox"/> Held to answer before District Court	STATUS HEARING: re: Identity/Detention Hrgs <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Reset Set for: 3/16/2012 at 2:00 PM Before: MAGISTRATE JUDGE BURNS

Other: _____

Recorded by Courtsmart
 BY: Kathy Lara
 Deputy Clerk

IA: 3 mins.

cc: AUSA/Def Cnsl/PTS/USMS

I hereby attest and certify on 3-19-12
 that the foregoing document is a full, true and correct
 copy of the original on file in my office and in my custody.

CLERK, U.S. DISTRICT COURT
 DISTRICT OF ARIZONA

By S. Angione Deputy

CLOSED

U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CRIMINAL DOCKET FOR CASE #: 2:12-mj-00176-MHB-1 *SEALED*
Internal Use Only

Case title: USA v. Leitner Date Filed: 03/15/2012
Other court case number: 11 CR 102-RE District of Oregon Date Terminated: 03/19/2012

Assigned to: Magistrate Judge Michelle
H Burns

Defendant (1)

Elyzabeth Morgana Leitner
TERMINATED: 03/19/2012
also known as
Elyzabeth Morgan Leitner
TERMINATED: 03/19/2012

represented by **Lorna A Spencer**
Federal Public Defenders Office -
Phoenix
850 W Adams St., Ste. 201
Phoenix, AZ 85007
602-382-2700
Fax: 602-382-2800
Email: Lorna_Spencer@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Disposition












21:841(a)(1), (b)(1)(C) and 846 -
Conspiracy to Possess with Intent to
Distribute Oxycodone; Possession with
Intent to Distribute Oxycodone;
Attempt to Obtain Controlled Substance
by Fraud; Obtaining Controlled

Substance by Fraud; Conspiracy to
Possess with Intent to Use Five or More
Identification Documents

Plaintiff

USA

represented by **Vincent Quill Kirby**
US Attorneys Office - Phoenix, AZ
2 Renaissance Square
40 N Central Ave., Ste. 1200
Phoenix, AZ 85004-4408
602-514-7500
Fax: 602-514-7650
Email: Vincent.Kirby@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/15/2012	 <u>1</u>	Arrest (Rule 5) of Elyzabeth Morgan Leitner (MAP) (Entered: 03/15/2012)
03/15/2012	  <u>2</u>	*SEALED* Minute Entry for proceedings held before Magistrate Judge Michelle H Burns: Initial Appearance in Rule 5(c)(3) Proceedings as to Elyzabeth Morgan Leitner held on 3/15/2012. FINANCIAL AFFIDAVIT TAKEN. Appointment of Counsel hearing held. Appointing Lorna A Spencer (AFPD). Defendant states true name to be ELYZABETH MORGANA LEITNER. Further proceedings ORDERED in Defendant's true name. Status Conference re Identity/Detention Hearings set for 3/16/2012 at 02:00 PM before Magistrate Judge Michelle H Burns. (Recorded by COURTSMART.) (cc: AUSA/Dft's Cnsl/PTS/USMS) (MAP) (Entered: 03/16/2012)
03/15/2012	  <u>3</u>	(Court only) CJA 23 Financial Affidavit by Elyzabeth Morgana Leitner (MAP) (Entered: 03/16/2012)
03/16/2012	  <u>4</u>	*SEALED* Minute Entry for proceedings held before Magistrate Judge Michelle H Burns: Status Conference re Identity/DH as to Elyzabeth Morgana Leitner held on 3/16/2012. Rule 5(c)(3) Identity Hearing Waived on 3/16/2012. Warrant of Removal Issued. (Recorded by COURTSMART.) (cc: AUSA/Dft's Cnsl/PTS/USMS) (MAP) (Entered: 03/19/2012)
03/16/2012	 <u>5</u>	WAIVER of Rule 5 & 5.1 Hearing by Elyzabeth Morgana Leitner (cc: AUSA/Dft's Cnsl) (MAP) (Entered: 03/19/2012)
03/19/2012	 <u>6</u>	COMMITMENT TO ANOTHER DISTRICT as to Elyzabeth Morgana Leitner. Defendant Committed to District of Oregon. Signed by Magistrate Judge Michelle H Burns on 3/16/12. (cc: AUSA/Dft's Cnsl/PTS) (MAP) (Entered: 03/19/2012)
03/19/2012	 	(Court only) ***Terminated defendant Elyzabeth Morgana Leitner, pending deadlines, and motions., ***Complaint counts moved to P99 Elyzabeth Morgana Leitner (1) Count Complaint., (MAP) (Entered: 03/19/2012)

03/19/2012)

I hereby attest and certify on 3-19-12
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my custody.

CLERK, U.S. DISTRICT COURT
DISTRICT OF ARIZONA

By S. Hancock Deputy